

Executive Committee Meeting Minutes – Monday, June 7, 2004

Chairman Dwyer called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Present: Chairman James Dwyer, County Board Supervisors Walter Kolb, Richard Manke, William Mitchell, Duane Paulson and Duane Stamsta. **Absent:** Supervisor Patricia Haukohl.

Staff Present: Chief of Staff Lee Esler, Legislative Policy Advisor Mark Mader, Office Services Coordinator Windy Jicha.

Also Present: Senator Mary Lazich, UW-Extension Director Marcia Jante, Community Development Coordinator Glen Lewinski, Chief of Staff Allison Bussler, Supervisor Rodell Singert, Supervisor Hank Carlson, Judge Foster, Senior Financial Analyst Clara Daniels, Milwaukee Journal Sentinel Reporter Scott Williams.

Correspondence

Chairman Dwyer reviewed and distributed the list of correspondence. He said Supervisors should request copies of the listed items from Jicha.

Approval of Minutes

MOTION: Stamsta moved, Kolb second, to approve the minutes of the May 17, 2004 Executive Committee meeting. **Motion carried:** 6-0.

Meeting Approvals

MOTION: Manke moved, Stamsta second, to approve the attendance of the Executive Committee at the 2004 Awards for Excellence in Government. **Motion carried:** 6-0.

Discuss Legislative Issues with Senator Mary Lazich

Lazich distributed and discussed a handout titled: "Table 1: Summary of 2003 – 05 Appropriations, Compensation Reserves and Authorizations: Act 33." She said the Fiscal Bureau pulled the data together and she condensed it. We need to do things to lower taxes in Wisconsin to attract businesses and to keep our children and us employed. The best thing she can do is to keep the economy moving, keep people in jobs, etc. Right now we need to address the high taxes. We lose many senior citizens due to taxes. Retirees are very good for the economy.

Dwyer asked how Shared Revenue came about? Lazich said it was invented for the state to take in funds and to give them back dollar for dollar. Then the redistribution came and the less fortunate, economical counties who needed more money got more. Those counties doing well didn't get as much.

Lazich said the 1990's were characterized by a booming economy with high revenues, spending and earnings but then everything changed after September 11th. Dwyer said Waukesha County kept things in check in the 1990's as apposed to the state that raised taxes and spending significantly during the period of boom. Waukesha County doesn't need the state to put a limit on counties' spending/taxing because we do a good job. Counties need to be in control of their own spending and budgets.

Lazich asked, should the county pay for the state court system? Should the state pay for the county court system? Should the county pay for the Supreme Court system? It is the people from the counties that use the courts. You can reverse the question. Krahn said it isn't a matter of county versus state paying for things because it is the taxpayers who are paying for everything. We keep asking the state to work with counties. Lazich asked how do we make this happen? If we have mandates, how do we fund them? Mandates are not pleasant and no one wants more of them. We just can't get rid of them today.

Stamsta asked on general legislation items, does anyone think of how legislation affects everyone's budget? There's never a dollar amount attached to legislation. Lazich said this is a good point. She gave an example of an idea for a bill she floated which would make acts by sexual predators Class A felonies. The bill would automatically send these types of criminals to jail. When she got the fiscal note back it was humongous. It is how the judicial system does business. We need to look at how and why we house criminals and the services we offer. Some people should not be in prison but rather in rehabilitation. White-collar criminals should be out on the street paying restitution.

Lazich said a lot of different kinds of people move to Florida. It isn't just wealthy CEOs. Dwyer said we should look at a tax reform and tie together revenues for what we do. We need to define what body should pay for what services. Local communities should know in advance what they are getting.

Paulson said when you compare Wisconsin taxes and fee structures, we're not the highest state. Florida does things a lot differently than Wisconsin. Florida has a different tax structure and they attract a lot of tourism. Florida has done a lot to attract retirees. Once their health begins to fade, they move back to Wisconsin. Paulson would like to see a comparison of Florida fees versus Wisconsin fees in regards to what is taxed, how much and how things not covered by taxes are paid for.

Stamsta said we have to start selling what we have in Wisconsin. We have the best quality of life. Our taxes provide us with lots of things we take for granted. If you want to cut taxes, people need to know they will have to give things up.

Mader said we continue to talk about the cost of health care and no one talks about controls. Health care is an oligopoly with prices going up exponentially. We don't have meaningful regulations. Lazich said health care needs to be consumer driven.

Mitchell said he moved back to Wisconsin from Florida to raise his family. CEOs move to Florida because it isn't a community property state. What vision or side of TABOR is acceptable to you? Lazich said in terms of TABOR, she did a lot of good things for counties in the budget. At any point in time, one-third of the legislature wants to TABOR, one-third doesn't want it and one-third doesn't know what to do. Her mantra has been that not too many people are on the same page. You put principles into the constitution. There are people who believe you don't put formulas into the constitution. She hears both sides of the argument. The mandate issue has to be discussed. You can't put bonding into the forefront and drive everyone to borrow money. It has not worked out. We should give some information to the public as to what is the appropriate level of spending for roads, education, prison system, etc.

Dwyer thanked Lazich for visiting with the committee.

Public Comment

Judge Foster said Supervisors would receive information later this week on the Judge Ride Along Program. Supervisors may spend an hour or a day with a judge or court commissioner to see what they do in court, budget meetings, at jury selection or any other tasks. There are new programs in the courts that the supervisors may want to see and further investigate. She recommends that all Supervisors participate in this program.

Legislative Update

Krahn said TABOR should be discussed in such a way to eliminate the guesswork. The latest news on TABOR is that the Senate Republicans will release a version of it this week. It will be different from the Lasee version. They may have hearings around the state right away but not do anything about the proposal

this year. They won't go into extraordinary session to cover this. They are also going to do a statutory proposal that would give local governments tools to achieve spending reductions. Krahn said some people are screaming about TABOR but most people don't know what it is. People are not clamoring about it. For all purposes, the legislature is out of session but there's a hint they may come back. Supposedly the Republicans will decide this week if they should go into extraordinary session.

Discuss and Consider Ordinance 159-O-020: Authorize the Waukesha County University of Wisconsin Extension Nutrition Coalition to Accept Roundy's Inc. Grant and to Authorize Additional Expenditure Appropriations for the Costs Involved in Expanding Farmers' Markets Collections of Excess Produce and Establishing a Garden for Low-Income Youth

MOTION: Manke moved, Stamsta second to approve 159-O-020: Authorize the Waukesha County University of Wisconsin Extension Nutrition Coalition to Accept Roundy's Inc. Grant and to Authorize Additional Expenditure Appropriations for the Costs Involved in Expanding Farmers' Markets Collections of Excess Produce and Establishing a Garden for Low-Income Youth.

Jante said four to six weeks ago, Roundy's called UW-Extension asking them if they would like \$15,000 to expand the Garden Gleaning Program. Current grant funding allows staff to attend farmer's markets in Brookfield and Waukesha to educate and seek produce/cash donations. This grant will allow the program to expand its outreach to the Menomonee Falls farmers' market and educate consumers and sellers about good horticulture and nutrition practices and to encourage donations of excess produce or money to local food pantries. Two years ago, they had enough grant funding for a staff person to visit the Menomonee Falls farmer's market but until this funding came in, they couldn't afford it. Produce collected at the Menomonee Falls farmer's market was previously donated to the Ranch and the Menomonee Falls food pantry. Part of the donation will be used to put in an educational garden at Saratoga School.

Kolb said he is all for the grant and the Roundy's part is great!

Esler asked if the garden can be put in this year or will the funds be carried over to 2005? Jante said they are going to start on the garden this year. Because there are not any summer activities in the Saratoga School area, the educational garden will help provide summer activities for the youth in the neighborhood. Staff and participants from LaTeeno and PAC will help spread the message about the garden. Students will also learn about the program during the last four days of the school.

ON THE MOTION: Motion carried: 6-0.

Discuss and Consider UW Extension Compassion Capital Fund Demonstration Program Grant Application

Jante said we applied for this grant last year and did not get it. When UW-Extension received the rejection letter, it contained ideas and tips on how to better compete for the grant. This grant is part of an initiative from President Bush to reach out to and better educate faith-based organizations and small non-profits on how to receive more federal grants. When UW-Extension receives the money, they will include St. Joseph's Church, YWCA, Dona Lexa Community Center and the Cooperating Congregations of Greater Waukesha as partners in the program. They have the ability to provide significant leadership to small non-profits and faith-based organizations. The grant funding will allow UW-Extension to help organizations improve their grant writing skills. If they do well during the first year of the grant, they will get funding for up to three years. Cooperating Congregations is an umbrella organization with a lot of outreach in the community. St. Joe's is the hub of the Hispanic community and has had to let go of staff. The Dona Lexa Community Center is

talking about combining with ARCH and has the ability to reach lots of people. YWCA has broken away from the national affiliation and is struggling with both their identity and future.

Manke said he heard that many nonprofits want to merge together to save money and reduce administrative costs. Jante said there is a lot of leadership and competition out there. Manke said he would like to see more money funneled away from administration and into programming.

Esler asked how much is the grant for? Jante said the grant is for \$441,000 for the first year with \$175,000 to be used for grants to non-profit subcontractors. They will set up a committee to determine standards to distributing grant money to subcontractors. The grant money is available to any faith-based and small nonprofit organization.

Esler asked why is this called a "Capital Fund Program?" Is the money for capital programs? Jante said the grant does not provide money for capital programs. They hope to receive notification by the end of this year and get the money by January 2005.

Discuss and Consider the County Board Office Records Retention Schedule

Esler said the information received by the committee members included the ordinance that put the current records retention policy into action and county policy on the records management program. He suggests the folding all County Board Supervisors' correspondence including U.S. mail, memos and/or emails into the current procedure. Correspondence is currently kept in books in the office and is retained for two board years and then tossed out. The binders include all correspondence introduced at committee meetings.

Esler said we don't need to keep everything because most things are transitory or only important for the week. We want the records retention schedule to reflect keeping correspondence for two years. Currently, correspondence is not listed on the records retention schedule for the County Board office. The Records Retention Committee would have to approve adding such language to our schedule. If an item is sent to all supervisors, one copy should be kept. We don't need to keep 35 copies. It helps to keep the staff aware of what is going on and possibly enact follow-up by staff and committees. He is not aware of what the penalty is for not keeping correspondence.

Dwyer asked Esler if he would like to the committee to decide on a change to our records retention policy? Esler said yes. The records retention schedule has been deleted from the county code. The Record Retention Committee is entrusted to make these decisions. As far as he knows, the Record Retention Committee has never met. Supervisors need to decide if they want to share information. Supervisors wouldn't have to store their correspondence if they forward it to the appropriate committee and it is put on the official correspondence list.

Mitchell said he believes we have to keep the correspondence. He asked Esler, what are you asking us to do with this issue? Esler said he wants the Records Retention Committee to rule on our proposal for handling correspondence. Mitchell asked how they could have addressed email as correspondence if they have never met? Esler said email is correspondence. Mitchell said we need policy so everyone is doing the same thing. Email isn't included in the records retention handouts received by the committee. Esler said according to the County Board record retention schedule, email isn't included and doesn't need to be kept. Esler said if you are asking, is the list adequate right now? The answer is no. There's nothing on the list regarding regular mail either. Mitchell asked, what do you want to achieve today by discussing this? Esler said he suggests that the supervisors handle emails the same way correspondence is handled now. He would also like correspondence added to the records retention schedule by the Records Retention Committee.

Kolb said should we hang onto correspondence and email ourselves or bring it in for staff to review? Esler said staff knows the difference between what is important and should be kept. Most businesses have records managers who decide what should be kept and how. A benefit is the sharing of information.

Paulson said to Esler that you said we don't have a policy on email but it is covered in 105.3 of the records management program policy. Esler said regardless of what form it is sent in, the county's records retention policy doesn't address email. Paulson asked, do we bring in a hardcopy of an email and let the office staff handle it? Esler said yes or you can electronically forward it to the office.

Manke asked how does a Supervisor know what to keep? Esler said there's not much that needs to be kept. We should centralize that concern by having the County Board staff perform review on what to keep and what is important. What is confusing is when a letter appears to be sent to only one person. Esler said he contacts other supervisors to see if they received the same letter.

Dwyer said we need a policy for this. When we get letters that aren't "cc" to the entire County Board, Supervisors need to bring them into county board office staff for a review of whether they should be kept or not.

Manke asked, does Senator Lazich keep all the letters she gets from constituents? Esler said he doesn't know what they do at a state level. This policy is a concern at all levels of government. Getting correspondence on the records retention schedule needs the approval of the Records Retention Committee, the State of Wisconsin Records Board and the State of Wisconsin Historical Society.

Esler said he will write this policy. You need to be aware of what falls under the records retention schedule. Mitchell said he would like to see this committee [Executive Committee] address the electronic records policy. He doesn't think everything should be kept as hard copy. Esler read from lines 52 – 54 of ordinance 155-O-015: "Be it further ordained that the County Records Retention Committee has the authority to introduce new media technology relative to records retention and preservation to the county based on the acceptance of such media in the Wisconsin State Statutes." The broader policy addresses nonpaper issues. He suggests that we treat email like U.S. mail.

Paulson asked if the Records Retention Committee, the State of Wisconsin Records Board and the State of Wisconsin Historical Society have approved this records retention schedule? Esler said yes. Paulson said then the only thing we have to do is write a procedure on what the records are. Esler said if you don't do anything at all then you don't have to save anything because they are not on the records retention schedule. Paulson said 105.3 in the records management program policy and procedure addresses emails under "A. Birth."

Dwyer said this line does talk about emails. Who do we go to for clarification on this? Who is on the Records Retention Committee? Esler said Lori Schubert, Rick Kuntsman and Corporation Counsel staff were on the committee. Dwyer said we need to bring the committee together so they can define for us what the records are. We also need to amend the records retention schedule. He asked, doesn't the policy have a procedure on how to change what is included in the list? Esler said it is included in the records management policies item 105.8 which says, "To establish or make changes to an existing records retention schedule, Department Records Coordinators should call the Records Management staff...." Esler said he will call Kunstman and ask if we can change our schedule.

Update on Housing and Urban Development (HUD) Audit Response

Lewinski said he has not received the final report from HUD. He will provide a copy of the report to committee members as soon as it is received and then return to the next Executive Committee meeting to discuss the results.

Discuss and Consider the Following Appointments:

159-A-005: Appointment of Carol Wilson to the Okauchee Lake Management District

MOTION: Stamsta moved, Paulson second, to approve 159-A-005: Appointment of Carol Wilson to the Okauchee Lake Management District. **Motion carried:** 6-0.

159-A-006: Appointment of Susan N. Dreyfus to the Southeastern Wisconsin Professional Baseball Park District

MOTION: Manke moved, Mitchell second, to approve 159-A-006: Appointment of Susan N. Dreyfus to the Southeastern Wisconsin Professional Baseball Park District. **Motion carried:** 6-0.

Standing Committee Reports

Judiciary – Mitchell said the Sheriff's Department received accreditation. He distributed a handout outlining what it takes for a Sheriff's Department to achieve accreditation. Mitchell said he also has a report on the accreditation process for anyone who wants to review it.

Public Works – Esler said the committee approved the bids for the demolition of the east end of Northview. The demolition plan will be implemented this summer. Manke said the issue of the demolition of the house on Northview Road is on the table. Alternative uses for the house are being investigated.

Health and Human Services – Stamsta said the committee is presently hearing educational presentations.

Personnel – Paulson said the committee is presently listening to educational presentations.

Motion to Adjourn

MOTION: Mitchell moved, Kolb second, to adjourn the meeting at 11:40 a.m. **Motion carried:** 6-0.

Respectfully submitted,

Walter Kolb
Secretary